

REMARKS

The Applicants appreciate the Examiner's thorough examination of the subject application. Applicants request reconsideration of the subject application based on the following remarks.

Claims 19-35 are pending in the application. Claim 23 has been amended to correct a typographical error. No new matter has been added by the claim amendments. Support for the amendment to claims can be found in the claims as originally filed and throughout the specification.

The specification has also been objected to because it does not comply with the requirements of 37 C.F.R. §§1.821-1.825. In response to this objection, the specification has been amended to include sequence identifiers on pages 6, 21, 23, and 24. The Sequence Listing has also been amended to include certain sequences found in the application but not present in the initial submission of the Sequence Listing. Additionally, an amendment was made to SEQ ID NO:63 on page 25, line 9 (see above). The sequence as originally presented in the specification had a typographical error that inserted an extra 'g' after the 28th nucleotide. One of skill in the art would clearly know that this extra 'g' was a typographical error based on the fact that the nucleotides in the primers listed on pages 21, 23, and 24 are all depicted as groupings of five nucleotides, whereas the error in SEQ ID NO:63 on page 25, line 9 has a group of six nucleotides. Additionally, one of skill in the art would know that the primer used on page 25, line 9 should be homologous to SEQ ID NO:59, based on the experimental description.

Applications respectfully request that the substitute Sequence Listing and the amendments to the specification be entered in the application. Applications submit that the content of the paper copy of the Sequence Listing (pages 1-17) and the computer-readable copy submitted herewith are the same. No new matter has been added by way of the amendments to the specification or the Sequence Listing.

In response to the Restriction Requirement, Applicant provisionally elects Group I, claims 19-30, with traverse. The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter of the application. Applicant reserves the right to file divisional application(s) on the non-elected claims.

Applicant traverses the Restriction Requirement on the basis that, the Office Action has not asserted any prior art document which teaches a nucleic acid capable of being specifically bound to target protein of Ras.

The Office action has asserted that U.S. Patent 5,910,407 (Vogelstein) teaches a nucleic acid capable of being specifically bound to a target protein of Ras and cites to column 5, lines 2-8.

As Vogelstein is understood, the disclosure teaches a PCR primer for amplifying nucleic acids containing K-ras. Moreover, Vogelstein patent does not refer to Ras proteins or a nucleic acid capable of being specifically bound to Ras.

Thus, the office action has not satisfied its burden to show that Groups I-III lack a special technical feature that is the same or that corresponds to a special feature of the other claimed invention. Applicants request withdrawal of the restriction and rejoinder of the claims of Groups II and III.

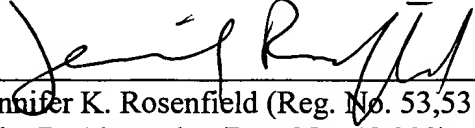
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Early consideration and allowance of the application are earnestly solicited.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,

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